

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Harriet G. Bailey, )  
)  
Plaintiff, )  
)  
v. )  
)  
South Carolina Department of Corrections, )  
)  
Defendant. )  
\_\_\_\_\_)

C/A No. 3:17-cv-3500-TLW-KDW

**ORDER**

Plaintiff Harriet G. Bailey filed this action for violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, as amended; and the Equal Pay Act (EPA), 29 U.S.C. § 206. ECF No. 1. On January 12, 2018, Defendant South Carolina Department of Corrections filed a Partial Motion to Dismiss Plaintiff’s claims pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 6. Plaintiff filed a response opposing the motion, ECF No. 9, to which Defendant replied, ECF No. 11.

This matter now comes before the Court for review of the Report and Recommendation (the Report) filed on February 23, 2018, by United States Magistrate Judge Kaymani D. West, to whom this case was previously assigned pursuant to 28 U.S.C. § 636(b) and Local Civ. Rule 73.02(B)(2), (D.S.C.). In the Report, the Magistrate Judge recommends granting Defendant’s Partial Motion to Dismiss. ECF No. 21. Objections to the Report were due on March 9, 2018. However, the parties did not file objections to the Report. This matter is now ripe for disposition.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C.

§ 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report, filings, and relevant case law. The Report provides a detailed analysis of the issues. This Court finds the Report persuasive on the facts and law. Again, neither party filed objections to the Report. The Court adopts the detailed analysis in the Report regarding Plaintiff's Title VII failure-to-promote claim and EPA discriminatory pay claim based on Plaintiff's failure to object to the factual and legal basis outlined by the Magistrate Judge. ECF No. 21; *see Ostrzenski v. Seigel*, 177 F.3d 245, 252 (4th Cir. 1999); 5A Charles Allen Wright & Arthur R. Miller, *Federal Practice and Procedure* § 1357, at 360–67.

For the reasons articulated by the Magistrate Judge and those stated herein, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 21, is **ACCEPTED**, and Defendant's Partial Motion to Dismiss, ECF No. 6, is **GRANTED**, and Plaintiff's claims pursuant to Title VII for failure-to-promote and the EPA for discriminatory pay are dismissed without prejudice.

**IT IS SO ORDERED.**

*s/Terry L. Wooten*  
Chief United States District Judge

May 9, 2018  
Columbia, South Carolina